I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-703-872-9311 on October 16, 2003.

Kim Blum	Com Bum
Name (Print)	Signature

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: GAUDET et al.	)	Examiner: THERKORN, Ernest G.		
Application Number: 09/944,064	)	Group Art Unit: 1723	RECEIVED	
Filed: August 31, 2001	)	Confirmation No.: 8322	CENTRAL FAX CENTER  OCT 1 6 2003	
Docket No.: 01048 (3600-297)	· )		# U ZU() {	

MATERIAL FOR CHROMATOGRAPHY For:

## NOTICE OF APPEAL

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

October 16, 2003

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated July 16, 2003, of the Examiner finally rejecting all of the claims, including at least claims 1-10, 12-13, 36, 39-43, and 46.

The item(s) checked below are appropriate:

- A petition for an additional 0-month extension of time to respond to the Final Rejection is filed herewith. A timely response to the Final Rejection has been filed, as provided in 37 CFR 1.113. Large Entity Fee - \$330.00. Enclosed is a Credit Card Payment Form.
  - Not required (fee paid in prior appeal).

Charge this fee and any deficiencies to Deposit Account No. <u>03-0060</u>.

In the event this Notice of Appeal is not considered to be timely filed, Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 03-0060, along with any other additional fees which may be required with request to this Notice.

Notice of Appeal dated October 16, 2003 U.S. Patent Application No. 09/944,064

RECEIVED
CENTRAL FAX CENTER
OCT 1 6 2003

Respectfully submitted,

KILYK & BOWERSOX, P.L.L.C.

Luke A. Kilyk

Reg. No. 33,251

Atty. Docket No. 01048 (3600-297) KILYK & BOWERSOX, P.L.L.C.

53 A East Lee Street Warrenton, VA 20186

Tel.: (540) 428-1701 Fax: (540) 428-1720